

ASCA-04

McKinney of Connecticut
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contact you and ques-

Mr. BYERS. No; I made it very clear why I was going to leave the scene.

Mr. McKINNEY. At the time that you said you were going to leave the scene, did he make any mention of the fact that he had taken you out and gotten you a "hit" offer?

Mr. BYERS. No.

Mr. McKINNEY. I have no more questions, Mr. Chairman.

Chairman STOKES. Mr. Byers, one other question. I want to put something in perspective. Are you aware of how the FBI became aware that this offer had been made to you?

Mr. BYERS. Only what I read in the paper.

Chairman STOKES. Can you tell us what that is?

Mr. BYERS. That I unconsciously had told someone of this offer, an informant at the time to the FBI, and the FBI wrote it down and misfiled it for 5 years. That's all I am aware of.

Chairman STOKES. This would have been in 1973 that you were talking with a person who was an FBI informant; isn't that correct?

Mr. BYERS. That's correct.

Chairman STOKES. And you mentioned this incident to that individual, not knowing the individual was an FBI informant; is that right?

Mr. BYERS. That's correct.

Chairman STOKES. And then, as a consequence of your having stated it to him, the FBI informant did inform the FBI of it, but they then misfiled the memorandum in which they had put it; is that your understanding?

Mr. BYERS. That's the way I read it in the paper.

Chairman STOKES. Now, in 1973, after you had talked with this individual who you now know to be an FBI informant—

Mr. BYERS. No, I do not know him to be an FBI informant, because I don't know who it was.

Chairman STOKES. I see; but you do recall you talked to someone about this?

Mr. BYERS. Evidently I did.

Chairman STOKES. Has the FBI ever been to you, to interrogate you about the story?

Mr. BYERS. Been to me to interrogate me about the story? You mean, when the man give it to him in 1973?

Chairman STOKES. My question really is, has the FBI ever been to you to find out from you about this incident?

Mr. BYERS. About the offer being made to me?

Chairman STOKES. Right.

Mr. BYERS. No.

Chairman STOKES. Thank you.

One further question: As I understand you, you don't know who it was you talked to in 1973, who was the informant; is that correct?

Mr. BYERS. That's correct.

Chairman STOKES. Well, were you in the habit of talking to a lot of people about this incident?

Mr. BYERS. No, but maybe when I was drinking, you know, could have been any one of a thousand people I might have told it to, you

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Mr. BLAKEY. Did you ever have any conversations with Mr. Weenick in 1973 or thereafter about the offer?

Mr. BYERS. Yes.

Mr. BLAKEY. Did you have any discussions with him in which either you or he speculated about who the informant might be?

Mr. BYERS. Oh, possibly so.

Mr. BLAKEY. When did it come to your attention that the informant had given this information to the FBI?

Mr. BYERS. When a reporter from the New York Times came and told me.

Mr. BLAKEY. When did that occur?

Mr. BYERS. After I was here at the committee last time.

Mr. BLAKEY. I'm somewhat confused, Mr. Byers. Perhaps the way I am asking the question has confused you.

Is it that you did not know that the informant had, until the New York Times reporter talked to you, and that did not occur until after your appearance on May 9, 1978? You couldn't have speculated about an informant with either Mr. Weenick or Mr. Randall in 1973.

Mr. BYERS. I misunderstood your question a while ago. I didn't even know an informant existed until—like I say—1978. I wasn't following your questioning a while ago. Did you ask me a while ago if we discussed an informant in 1973?

Mr. BLAKEY. That's correct.

Mr. BYERS. No. How could we discuss it when we didn't even know there was one?

Mr. BLAKEY. So your testimony is—and you would have us believe, and it is true—that you had no discussions about an informant until after the New York Times article?

Mr. BYERS. Oh, yes, I didn't even know—when Mr. Conrad Baetz and Mr. Waxman came to my home—this is the first I knew that you knew anything about it. That's the first I knew.

Mr. BLAKEY. Fine.

Mr. Chairman, I have no further questions.

Chairman STOKES. Is any member of the committee seeking further recognition?

Mr. BYERS. It may be necessary for the committee to call you back later today. For that reason, we would ask that you remain available this morning and a portion of the afternoon.

For the time being, this does conclude your testimony before the committee, and at the conclusion of a witness' testimony, either the witness or his counsel may make a statement to this committee during a 5-minute period. During that period you may amplify or explain your testimony in any way or make any further comment you so desire on your testimony before this committee.

I would extend to you—to either you or Mr. Hamilton—at this time 5 minutes for that purpose, if you so desire.

Mr. BYERS. I can't think of anything I would like to add.

Chairman STOKES. Mr. Hamilton?

Mr. HAMILTON. No comments.

Chairman STOKES. Then at this time the Chair would once again admonish all persons in the room to please remain seated until such time as the witness has left the hearing room.

Thank you very much and you are excused, Mr. Byers.